

Board of Selectmen's Meeting

September 3, 2009

Present: First Selectman Woody Bliss; Selectman W. Glenn Major; Selectwoman Gayle Weinstein; Town Administrator Tom Landry; Administrative Assistant Judy DeVito, Press and members of the public.

This meeting was recorded and video taped and the tapes are available in the Selectmen's office.

Mr. Bliss called the meeting to order at 7:34pm

Pledges of Allegiance- Margaret Wirtenberg lead the meeting in the Pledge of Allegiance.

Discussion/decision regarding the appointment of Eric Albert to fill the vacancy (Pat Kane) on the Parks and Recreation Commission for a term to expire December 31, 2009. Mr. Albert said that his family moved here in 1976 and he graduated from Weston High in 1990. He moved back to Weston in 2001 and is a Commercial Litigator. In the last six months he has moved to the Office of the General Counsel at Lehman Brothers.

He believes he owes to the Town that has given to him so much and gotten him to where he is today. Parks & Recreation is of particular interest to him because sports, recreation athletics has always been a big part of his life.

He has three young children who have been involved in soccer and little league. It is very important to see that the fields are as vibrant as they possibly can be. His wife was on the commission to rejuvenate Bisceglie Park.

Ms. Weinstein made a motion to appoint Eric Albert to fill the vacancy of Pat Kane on the Parks & Recreation Commission for a term to expire December 31, 2009. Mr. Major seconded and the motion passed unanimously.

Discussion/decision regarding an appointment for the Board of Ethics for a term to expire December 31st, 2009. Candidates are Harriette Heller and Juri Tatsuuma-Garone. Ms. Weinstein said that she preferred Harriette Heller for the position because she has a background in ethics. Mr. Major said he agreed with Ms. Weinstein, but he wanted to be sure that should her husband become active on the DTC, there is an inherent conflict and she should step down from her position.

Mr. Major made a motion to appoint Harriette Heller to fill vacancy on the Board of Ethics for a term to expire December 31, 2009. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding the reappointment of Peter Catucci, Valerie Mason and Margaret Brooks to the Commission for the Arts for a term to expire June 30, 2011. Mr. Major made a motion to appoint Peter Catucci, Valerie Mason and Margaret Brooks to the Commission for the Arts for a term to expire June 30, 2011. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding the reappointment of Cynthia Williams to the Beautification Committee for a term to expire June 30, 2013. Ms. Weinstein made a motion to reappoint Cynthia Williams to the Beautification Committee for a term to expire June 30, 2013. Mr. Major seconded and the motion passed unanimously.

Discussion/decision regarding CL&P preliminary application for joining the Weston Middle School and Weston High School under one meter.- Don Gary
Mr. Gary said that three months ago we appropriated \$10,000 to do a preliminary study for UTC which was \$9,600 and we appropriated about \$600 to CL&P for them to do an interval study of the usage for the High School and the Middle School. They have both been done.

UTC is prepared to give the Town a Turnkey project. That means that they will put a fuel cell in, they will own it, guarantee the construction cost, make the applications to the CCEF and the DOE to get whatever grants they can and the net amount of cost to them after the ITC and the depreciation will figure into a lease payment to us. Included in that will be a full maintenance project for that entire time which will basically cover the facility from soup to nuts.

CL&P has required that in order for us to do net metering we must have a single meter. The High School uses about 2 mega watt hours of electricity a year and the Middle School uses about 1 1/2 mega watt hours. The combined will be about 3.4 mega watt hours. The Fuel Cell will give about 3.2 mega watt hours, so by putting the fuel cell in we will obviate the need for electricity with the exception of a few thousand kilowatt hours. The interval study showed that the average use of kilowatt hours for the High School and the Middle School combined is 408 kilowatt hours and this will provide 400 kilowatts an hour. We will be down to needing only 8 kilowatts per hour for the two facilities.

CL&P has a regulation that says they can only net meter with one meter, which means that they are going to have to co-join the meters from the Middle School and the High School into a single meter so that we can use it for net metering. In order to do that CL&P requires us to have a study done and the study will provide an estimate of what it is going to cost to join the two meters. The cost of the study is \$9,052. We cannot start anything until we have that study.

Mr. Gary said that we need to appropriate \$9,052. for CL&P to give us a non-binding estimate of the amount that it would cost to combine the two meters. He said it appears to him that they could do this with an accounting entry.

Mr. Major asked if there was anyone we could call to talk to at CL&P. He said that we have not made any true investment yet and we have already spent \$20,000. Mr. Gary said we are not going to know what the economics are until we get a specific grant from the CCEF and until we know how much it is going to cost to hook up the two meters together. He said until we get going with CL&P it is going to be very difficult to get either one of those to really have a final number. Mr. Gary said that he contacted Senator McKinney's office a couple of times because he sits on the energy committee and he should be able to be of some help.

Mr. Major asked what the cost would be to join the two meters together. Mr. Gary said that he would guess it would be well in excess of \$100,000. Mr. Gary said we need to do this now so that we can make a formal application to CCEF and if we do not do it we will not keep our place in line for the fuel cell.

Mr. Bliss suggested that they approve it with the following caveats. 1. He will talk to Chris Swan who is the community relations director at CL&P 2. Talk to the folks that he knows on the DPUC and 3. Call Senator John McKinney.

Ms. Weinstein said she is not comfortable doing this because she has just gotten the information and this is the Board of Education budget that is going to benefit. Ms. Weinstein asked if he had spoken to the Board of Education. Mr. Gary said no. Mr. Bliss said that he did not want to lose the momentum that they have. The savings on this would conservatively be about \$1.2 million and could go to about \$3 million over 15 years of the lease.

Ms. Weinstein suggested that it go to the Board of Finance first and the Board of Selectmen can vote on it the following week. Mr. Gary asked if when he talks to the UTC people he can tell them that the sense of the meeting was positive and the selectmen are in favor of it going forward, but they want to see if they can get UI and CL&P to waive this provision. Ms. Weinstein said absolutely. Mr. Major said there is no hesitation on his part.

Mr. Bliss asked that a Special Board of Selectmen's meeting be scheduled for Friday September 11th at 11:00am to act on this.

Discussion/decision regarding Stonecliff Lane- Mr. Bliss said that the opinion of Town Attorney is very clear that there is no obligation to make Stonecliff Lane a public road. Mr. Bliss said that if we take on the responsibilities that may lead to other people on private roads wanting us to take over their road. We have been very consistent that unless it meets Town requirements and Town engineer recommends it, we will not do it.

Ms. Weinstein said that Mr. Conte makes some very good points. There is the necessity for a survey which we do not have and the other concern for her is the drainage.

Ms. Weinstein made a motion to deny the application of Stonecliff Lane to make it a public Highway. Mr. Bliss seconded and the motion passed, Ms. Weinstein, Mr. Bliss yes and Mr. Major recused.

Discussion/decision regarding funding for additional photovoltaic on the Central Office building- Martin Strasmore. Martin Strasmore said that in June they got an agreement with the Clean Energy Fund that they were going to get at least a 3 kilowatt photovoltaic panels free. Through a study it was decided that the best place was the south facing roof on the Board of Education Administrative Building.

The Clean Energy Fund will rebate 50% of additional cost up to \$8,000. This would cover another 3 kilowatts. The installer will be on-site and the overhead is covered. We save \$233 per year for each kilowatt panel.

Mr. Major asked if this had gone to the school for review and approval. Mr. Strasmore said that informally they have signed up. He has talked to Jerry Belair before the expansion, but they were all in favor of getting it. Mr. Bliss said that he spoke to Jerry Belair today about this and he was very comfortable with it.

Mr. Major said the Town is going to pay \$7,000 to reduce the school's electric bill by \$700 a year; at some point there needs to be an appropriate adjustment made in the budget, otherwise the school goes out and spends another \$700 elsewhere, and it just cost the Town another \$7000.

Ms. Weinstein asked if Mr. Strasmore had anything in writing that the Clean Energy Fund would rebate 50% and was there an expiration date. Mr. Strasmore said that he had an email.

Mr. Bliss said that once the panel is installed we should get a letter from the school saying to whatever breaks even with the \$7,000 that they will decrease their budget by that amount.

Mr. Major made a motion to appropriate the sum of \$6,895 subject to Board of Finance approval for the purchase of one half of a three kilowatt photovoltaic unit with the proviso that no agreements are entered into for the purchase without it being coupled with written confirmation that the Clean Energy Fund is picking up the other half of the cost. Subject to Board of Education approval of the location of the units with an acknowledgement from the Board of Education that an appropriate accounting adjustment will be made to full reimburse the Town for the expenditure. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding proposed 8-24 application for the Booster Barn.

Ms. Weinstein said that one of the challenges is there really is only one spot that they can site the Booster Barn because of all of the electrical conduits and water.

Mr. Major made a motion to authorize the First Selectman to make an 8-24 application to the Planning and Zoning Commission for the Booster Barn to be built adjacent to the football field at the High School. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding funding for First Night Westport/Weston.- Denise Torv. Ms. Torv said that they had a problem last year, because of the weather. She said that there may be some changes this year, involving shorter hours. They have performers that are on standby and they would know about a month before the event. They are also talking about decreasing the footprint and having less venues. They may increase the ticket price, which has not increased since it began. She said that it came up at a board meeting that maybe they would do some venues in Weston.

Mr. Major asked what has happened with their funding. Ms. Torv said that it was less. They have commitments and pledges, but it has gone down by 40% from previous years. They had only about a 50% attendance, because of the blizzard, but all the vendors and entertainers except one showed up.

Mr. Bliss asked what percentage of the button sales come from presale. Ms. Torv said that 90 percent of the buttons sold are at the door. The button price is \$15.00. Mr. Major said that he does not see where Weston gets \$7,500 worth of value. Ms. Torv said that she really did not know the number of Weston residents that use it, but they do give at least 200 buttons to the department of Social Services. Ms. Weinstein said that she would be happy to fund the buttons that are given to Weston Residents. The Weston Kiwanis Club currently funds the buttons given directly to the Town's needy residents.

Ms. Torv said that she would like to see the event continue, but she does understand that the Town is going through difficult times. Mr. Bliss said that he would be willing to cut back to \$5,000. Mr. Major said as they get closer, if there is an overwhelming need for the buttons we would happy to entertain a request, if there was a specific need that was identified.

Open Items- **Ongoing update**

Food Pantry Lease- Awaiting PBA reply- Woody Bliss said that we have finally gotten the answer from the PBA that they are not interested in supporting it. Ms. Weinstein said that she spoke to Sgt. Brodacki and told him that we find it frustrating, because no one has come in to them and said these are what the issues for the police are, this is why we do not want to sign it. She said to them, why don't you come in, we can sit down with the Town attorney and flesh it all out and be done with it.

Ms. Weinstein said that we owe the PBA an incredible debt of gratitude for purchasing the food pantry shed itself and for their willingness to step forward and help the people who are in need in this Town, but the bottom line is the PBA as a whole really did not want to accept all the responsibilities associated with it.

Ms. Weinstein said she spoke to Betsy Peyreigne about having a 501c3 shell. They could use an existing or a new one, which would take between 60 days and 6 months to form. They did not want to commit tonight, they will give us an absolute answer at our next meeting. She has found an attorney for them who would set up a 501c3 pro bono if they wanted to go that route. She also has a tax attorney for them to talk to about it, because that is what they were concerned about. Ms. Weinstein said Ms. Peyreigne promised that she would come to the next Board of Selectmen's meeting and we will have a definitive answer as to how we are moving forward.

FAA- Woody Bliss- No news since the last meeting

Grants- Gayle Weinstein- Ms. Weinstein said she asked when we would get the money for some of the grants that we were approved for. She was told they have no idea when the grants that are currently in the process will be approved. They have no idea when the state is going to get the funds from the federal government to distribute to the municipalities.

Tax Collection- Woody Bliss- We are at exactly 50% through August. Last year we were at 49% so we are 1% ahead. We are dealing with a new collection firm for delinquencies and they have been doing much better for us than the previous company. We have collected about \$11,000 for the month of August. The collection fee that they get from collections is paid for by the person who owed the taxes.

Mr. Landry said the state budget was passed this week and CCM has told us what they thought our local aid amounts would be by community. In state aid it looks like we will do what we budgeted and then some. Trending our local revenues for the last couple month we could be down a couple hundred thousand for the year if it continues that way.

Tickler file, discuss as updated

Municipal Amnesty (SB1200)-

Treasurer position-Tom Landry- Mr. Bliss said he met with Mr. Darling and he feels much more comfortable today than he did a month ago. Two things were happening, they were doing all the paperwork to get him onto the bank accounts and this was not done in May or June because Diane was not as available as she became in July to work with. By doing live transactions in July and all the money transfers he felt like he was learning through doing. He thinks it was mostly a learning curve. Mr. Bliss said that he emphasized to him, that they want to know if this is a problem and we want to know when it is happening and not later. He said that he would definitely do that.

Recycling- Tom Landry – Mr. Bliss said that City Carting has done so much better than CRRA. They have been very easy to do business with.

Reimbursement from State for school projects- Tom Landry

Booster Barn- Woody Bliss- The school had asked us to get all the utility work done before school started and it is all done.

LaChat- W. Glenn Major

Discussion/approval of the Board of Selectmen minutes of July 9, 2009 and July 23, 2009. Mr. Major made a motion to approve the minutes of the July 9, 2009 meeting. Ms. Weinstein seconded and the motion passed unanimously.

Any other business to come properly before the meeting- Ms. Weinstein made a motion to add discussion/decision regarding discussion of a joint meeting between the Board of Selectmen, the Board of Education and the Board of Finance. Mr. Major seconded and the motion passed unanimously.

Ms. Weinstein said that given the fact that the state budget has now passed, which will have implications on the budget and the fact that we are doing a energy study and we are doing the fuel cell, it is important that we have a conversation with them and make sure that we are all on the same page and we are not duplicating efforts. She would like to have one more joint meeting before Mr. Bliss, Mr. Major and Joe Fitzpatrick all leave. We will schedule a meeting in mid October.

At 9:25 pm Ms. Weinstein made a motion to enter into executive session. Mr. Major seconded and the motion passed unanimously.

**Executive Session- Contract negotiation-Town Administrator
Contract negotiations Police- Rick Phillips**

ATTENDANCE and DISCUSSION: The meeting was convened at 9:27 PM in the First Selectman's office by Chairman Bliss, with Mr. Major and Ms. Weinstein present. Also present were Town Administrator Landry, and Police Commissioners Phillips, Gralnick, and Hammerslough.

LABOR CONTRACT: Mr. Phillips and the other Commissioners provided the Board with an update on the status of Police negotiations and the related costs for labor counsel. The report concluded at 10:02 pm, at which time the Commissioners left the room. No votes were taken.

CONTRACT NEGOTIATIONS: The Board discussed a proposal to provide an employment agreement for the Town Administrator. The entire discussion focused upon the calculation of salary amounts for his position and other non union employees after the implementation of the 2006 pay and classification study, and whether the proposed contracted amount was both correctly calculated, and correctly accounted for in the budget. No votes were taken.

ADJOURN EXECUTIVE SESSION: The Board voted unanimously (Ms. Weinstein, motion; Mr. Major second) to end executive session and reconvene in open session. The time was 11:14 pm.

ADJOURN: At 11:15 pm, a motion (Mr. Major, Ms. Weinstein second) to adjourn the meeting passed by unanimous vote.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 10/15/09